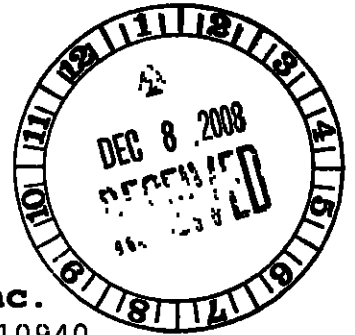
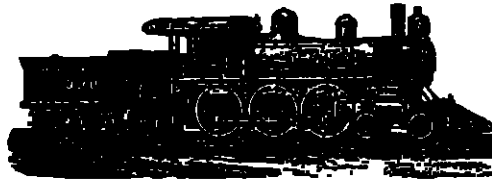


224125



**Middletown & New Jersey Railway Co., Inc.**

140 East Main Street, Middletown, New York 10940  
Tel: (845) 343-3435 Fax: (845) 344-1547

December 1, 2008

Hon. Anne K Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings  
DEC 05 2008

Re: SIB Docket No. AB-762 X  
Middletown and New Jersey Railway  
Abandonment Exemption - in Orange County, NY  
Notice of Consummation

Part of  
Public Record

Dear Secretary Quinlan

By notice of exemption served June 19, 2008, The Middletown and New Jersey Railway, Inc. ("M&NJ") was authorized to abandon a 7.5-mile line of railroad between milepost 6.5 in Slate Hill and milepost 14.0 in the Village of Unionville, located in Orange County, NY.

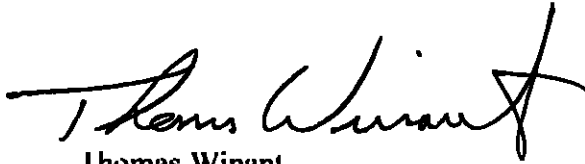
The exemption was to become effective on June 19, 2008. One condition was imposed in the Board's decision requiring that the M&NJ provide the National Geodetic Survey 90 days notice prior to beginning salvage activities. Said notice was provided to the NGS.

M&NJ is hereby providing notice pursuant to 49 CFR § 1152.50(c) and § 1152.29(e)(2) that it has exercised the abandonment authority granted in this proceeding, and consummated abandonment of the subject line as of the date of this letter. M&NJ has discontinued operations 37 years ago, thus, there are no existing tariffs. M&NJ intends that the property be removed from the interstate rail network.

Hon Anne K. Quinlan  
Page 2  
December 1, 2008

Pursuant to 49 CFR § 1152.29(c)(2), the M&NJ certifies that a copy of this Notice of Consummation has been sent to the New York Department of Public Service and the New York Department of Transportation.

Respectfully,

A handwritten signature in black ink, appearing to read "Thomas Winant", with a stylized flourish at the end.

Thomas Winant

General Manager, Middletown and New Jersey Railway.

Cc:

New York Department of Public Service  
3 Empire State Plaza  
Albany, New York 12223-1350

Director of Real Estate  
New York Department of Transportation  
50 Wolf Road  
Albany, NY 12232  
Attn: Phil Healey

Director, Rail Bureau  
New York Department of Transportation  
50 Wolf Road  
Albany, NY 12232  
Attn: Ray Hessinger